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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,972	02/13/2002	Michael W. Johnson	IREA0008	8947
28875	7590	05/03/2005	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			BATURAY, ALICIA	
			ART UNIT	PAPER NUMBER
			2155	
DATE MAILED: 05/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/049,972

Applicant(s)

JOHNSON ET AL.

Examiner

Alicia Baturay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 04252005
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-55 are pending.

***Claim Objections***

2. Claims 11 and 37 are objected to because of the following informalities: the acronym "STB" is not spelled out in the claims, which renders it unclear. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 12, 18, 27, 38 and 44 recite the limitation "said user." There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-12, 18-38, and 44-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Vaziri et al. (U.S. 6,377,570).

7. With respect to claim 1, Vaziri discloses an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2), comprising: at least two connection ports, where the first port connects to an Internet conduit, and the second port connects to the Internet-ready device (Vaziri, Fig. 4; col. 12, lines 1-6); a user interface, allowing the user to initiate passing information between the Internet-ready device and the Internet (Vaziri, col. 3, lines 33-37), and having associated indicators to indicate to the user that the passing of information is complete (Vaziri, Fig. 3; col. 11, lines 11-22); a protocol handler block for receiving and handling messages from the user interface and from the Internet-ready device, and for sending on the handled messages to a network stack block (Vaziri, col. 13, lines 13-25); the network stack block for handling an associated subset of the handled messages, and sending on to a physical connection block (Vaziri, col. 14, line 55 - col. 15, line 2); and the physical connection block for connecting to the Internet (Vaziri, col. 12, lines 13-16).
8. With respect to claims 2 and 28, Vaziri discloses the invention substantially including where the indicators range from, but are not limited to, simple LED's to small LCD screens, cursor controls, and keyboards and/or keypads (Vaziri, col. 11, lines 11-22).
9. With respect to claims 3 and 29, Vaziri discloses the invention substantially including further comprising a standard telephone jack connection (Vaziri, Fig. 4; col. 12, lines 1-6).

10. With respect to claims 4 and 30, Vaziri discloses the invention substantially including where the physical connection block comprises a data modem (Vaziri, col. 12, lines 13-16).
11. With respect to claims 5 and 31, Vaziri discloses the invention substantially including where the data modem ranges from 2400 bps to 56 kbps, or where the data modem is an xDSL or cable modem (Vaziri, col. 12, lines 13-16).
12. With respect to claims 6 and 32, Vaziri discloses the invention substantially including where the network stack block handles all network, transport layer, and data link layer protocols needed for Internet connectivity (Vaziri, col. 14, line 55 - col. 15, line 2).
13. With respect to claims 7 and 33, Vaziri discloses the invention substantially including where the protocol handler provides any of the following application protocols: POP3, SMTP, HTTP, FTP, and DNS (Vaziri, col. 13, lines 13-25).
14. With respect to claims 8 and 34, Vaziri discloses the invention substantially including where the apparatus is built as a standalone device (Vaziri, Fig. 7A, element 100; col. 14, lines 39-41).
15. With respect to claims 9 and 35, Vaziri discloses the invention substantially including where the apparatus is built to be embedded into other devices (Vaziri, Fig. 2B; col. 10, lines 26-28).

16. With respect to claims 10 and 36, Vaziri discloses the invention substantially including where the data modem is a cable modem (Vaziri, col. 12, lines 13-16).
17. With respect to claims 11 and 37, Vaziri discloses the invention substantially including added easily to any of, but not limited to: STB's; Ethernet hubs; and hubs that are attached to new home networking standards (Vaziri, col. 3, lines 64-66).
18. With respect to claims 12 and 38, Vaziri discloses the invention substantially including where the connection between the Internet-ready device and the Internet is closed in that the user never intervenes to provide additional information (Vaziri, col. 3, lines 33-37).
19. With respect to claims 18 and 44, Vaziri discloses the invention substantially including where the initiating passing information between the Internet-ready device and the Internet is by the user pressing a button, thereby providing a one-touch operation (Vaziri, col. 3, lines 33-37).
20. With respect to claims 19 and 45, Vaziri discloses the invention substantially including further comprising raw socket support (Vaziri, col. 10, lines 9-13).
21. With respect to claims 20 and 46, Vaziri discloses the invention substantially including where the raw socket support further comprises any of, but is not limited to: support for

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multiple sockets; ability to set target and source port numbers; and TCP or UDP transport layers (Vaziri, col. 10, lines 9-13).

22. With respect to claims 21 and 47, Vaziri discloses the invention substantially including where the protocol handler comprises a micro controller (Vaziri, col. 9, lines 13-19).

23. With respect to claims 22 and 48, Vaziri discloses the invention substantially including where the micro controller provides Base64 and/or quoted printable data decoding (Vaziri, col. 18, lines 24-33).

24. With respect to claims 23 and 49, Vaziri discloses the invention substantially including where the micro controller communicates directly with the Internet-ready device and with a raw socket (Vaziri, col. 10, lines 1-13).

25. With respect to claims 24 and 50, Vaziri discloses the invention substantially including further comprising multiple Internet-ready device connectors (Vaziri, Fig. 4; col. 12, lines 1-6).

26. With respect to claims 25 and 51, Vaziri discloses the invention substantially including further comprising auto BAUD rate detection for RS-232 type connections (Vaziri, col. 14, line 55 - col. 15, line 2).

27. With respect to claims 26 and 55, Vaziri discloses the invention substantially including further comprising a pass through port where an existing POTS appliance may be connected (Vaziri, Fig. 7A, element 211; col. 14, lines 39-41).

28. With respect to claim 27, Vaziri discloses a method for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri, Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2), comprising: at least two connection ports, where the first port connects to an Internet conduit, and the second port connects to the Internet-ready device (Vaziri, Fig. 4; col. 12, lines 1-6); a user interface, allowing the user to initiate passing information between the Internet-ready device and the Internet (Vaziri, col. 3, lines 33-37), and having associated indicators to indicate to the user that the passing of information is complete (Vaziri, Fig. 3; col. 11, lines 11-22); a protocol handler block for receiving and handling messages from the user interface and from the Internet-ready device, and for sending on the handled messages to a network stack block (Vaziri, col. 13, lines 13-25); the network stack block for handling an associated subset of the handled messages, and sending on to a physical connection block (Vaziri, col. 14, line 55 - col. 15, line 2); and the physical connection block for connecting to the Internet (Vaziri, col. 12, lines 13-16).

29. With respect to claim 52, Vaziri discloses an apparatus for a user to connect an Internet-ready device to the Internet, where the apparatus is embedded into the Internet-ready device (Vaziri, Fig. 2B; col. 10, lines 26-28), the apparatus comprising: a user interface block to

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connect to the Internet-ready device (Vaziri, col. 3, lines 33-37); and a physical connector block for connecting to the Internet (Vaziri, col. 12, lines 13-16).

30. With respect to claim 53, Vaziri discloses the invention substantially including further comprising a protocol handler block (Vaziri, col. 13, lines 13-25).

31. With respect to claim 54, Vaziri discloses the invention substantially including where the embeddable devices comprise any of, but are not limited to: Internet capable phones; answering machines; and fax machines (Vaziri, Fig. 1, element 104; col. 6, lines 22-25).

*Claim Rejections - 35 USC § 103*

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 13-17 and 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri and further in view of Martin et al. ("An Alternative to Government Regulation and Censorship: Content Advisory Systems for the Internet").

34. With respect to claims 13 and 39, Vaziri discloses an apparatus for a user to connect an Internet-ready device to the Internet by an Internet connection independent means (Vaziri,

Fig. 7B, element 100; col. 14, line 55 - col. 15, line 2). But Vaziri does not expressly disclose the use of a rating system. However, Martin does teach the invention substantially including further comprising a rating system, where the Internet-ready device passes a rating level to the Internet, where only data not violating the rating level is passed back to the Internet-ready device (Martin, page 2, 4<sup>th</sup> paragraph). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vaziri with Martin in order to provide parents and consumers with objective, detailed information about the content of an Internet site (Martin, page 1, 3<sup>rd</sup> paragraph).

35. With respect to claims 14 and 40, the combination of Vaziri and Martin (Vaziri-Martin) discloses the invention substantially including further comprising security schemes to prevent accessing information of unauthorized sites (Martin, page 8, 1<sup>st</sup> paragraph).

36. With respect to claims 15 and 41, Vaziri-Martin discloses the invention substantially including further comprising a key code for passing from the Internet-ready device to the Internet, where a pre-agreed upon algorithm is used to generate a response, where the response is sent back to the Internet-ready device, thereby authenticating the Internet connection to the Internet-ready device (Vaziri, col. 14, line 55 - col. 15, line 2).

37. With respect to claims 16 and 42, Vaziri-Martin discloses the invention substantially including used in reverse to prevent unauthorized Internet-ready devices from accessing a particular site (Vaziri, col. 14, line 55 - col. 15, line 2).

38. With respect to claims 17 and 43, Vaziri-Martin discloses the invention substantially including where the rating system is RSAC (Martin, page 2, 4<sup>th</sup> paragraph).

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
April 27, 2005

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